

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

CODY SMITH,

*Plaintiff,*

v.

JASON PABON,

ERIC FRAILLEY, and

ADAM SOUTHERN,

*Defendants.*

Case No. 3:23-CV-42-CLC-JEM

**JUDGMENT ORDER**

For the reasons set forth in the Memorandum Opinion filed contemporaneously with this Order, Plaintiff's *pro se* complaint under 42 U.S.C. § 1983 is **DISMISSED** pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Because the Court **CERTIFIED** in the Memorandum Opinion that any appeal from this Order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to close the file.

**SO ORDERED.**

**ENTER:**

/s/

**CURTIS L. COLLIER**

**UNITED STATES DISTRICT JUDGE**

ENTERED AS A JUDGMENT

*/s/ LeAnna R. Wilson*

CLERK OF COURT